

Office Action Summary

Application No.

10/791,156

Applicant(s)

WOO, KATHERINE

Examiner

MARK FADOK

Art Unit

3625

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 July 2011.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on ____; the restriction requirement and election have been incorporated into this action.
- 4) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 5) ☒ Claim(s) 1-24 is/are pending in the application.
- 5a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 6) ☐ Claim(s) ____ is/are allowed.
- 7) ☒ Claim(s) 1-24 is/are rejected.
- 8) ☐ Claim(s) ____ is/are objected to.
- 9) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 10) ☐ The specification is objected to by the Examiner.
- 11) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 12) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/87)
- 4) ☒ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 7/28/2012 has been entered.

The examiner acknowledges the amendment to claims 1,10,18 and 22. Applicant's remarks and amendment have been carefully considered and were found to be persuasive, however after further search and consideration the following new ground of rejection necessitated by amendment follows:

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 5, 10-12,14,18-20,22 and 23 are rejected under 35 U.S.C. 102(b) as being anticipated by Bernstein et al (US PG PUB 20020069139).

In regards to claim 1, Bernstein discloses a computer-implemented method comprising:

receiving, from a shopping cart application, detailed information concerning one or more items placed in a virtual shopping cart (FIG 1, Shopping cart redirects to server 16 for payment processing),

the shopping cart application being hosted by a seller web site, the seller web site being separate from an online payment service that includes a payment processor.

the detailed information being collected in the shopping cart prior to being sent from the seller web site to the online payment service by the shopping cart application in response to a user request to proceed with a payment for the one or more items; and

upon receiving the detailed information from the shopping cart application, communicating via a communications network one or more user interfaces that facilitate processing of the payment for the one or more items by the online payment service, the one or more user interfaces to display content of the virtual shopping cart (FIG 1, 34, para 0080, 0086,0090).

In regards to claim 2, Bernstein teaches wherein the detailed information is selected, for each of the one or more items, from the group consisting of an item name, an item number, an item price and an item quantity (FIG 3).

In regards to claim 3, Bernstein teaches wherein the user request to proceed with the payment is received when a checkout button is selected on the seller web site (para 0080, FIG 4, item 18, 0043).

In regards to claim 5, Bernstein teaches wherein the payment confirmation user interface displays the contents of the virtual shopping cart (FIG 3 and 4, 0086).

In regards to claim 10, Bernstein discloses an apparatus comprising:

- a shopping cart interface to receive, from a shopping cart application, detailed information concerning one or more items placed in a virtual shopping cart,
- the shopping cart application being hosted by a seller web site,
- the seller web site being separate from an online payment service, the detailed information being collected in the shopping cart prior to being sent from the seller web site to the online payment service by the shopping cart application in response to a user request to proceed with a payment for the one or more items; and
- a payment processor of the online payment service to communicate, upon receiving the detailed information from the shopping cart application, via a communications network one or more user interfaces that facilitate processing of the payment for the one or more items, the one or more user interfaces to display content of the virtual shopping cart (see response to claim 1).

In regards to claim 11, Bernstein teaches wherein the detailed information is selected, for each of the one or more items, from the group consisting of an item name, an item number, an item price and an item quantity (see response to claim 2).

In regards to claim 12, Bernstein teaches wherein the user request to proceed with the payment is received when a checkout button is selected on the seller web site (see response to claim 3).

In regards to claim 14, Bernstein teaches wherein the payment confirmation user interface displays the contents of the virtual shopping cart (see response to claim 5).

In regards to claim 18, Bernstein discloses a system comprising:

- a seller web site to implement a shopping cart application to place one or more items offered by the seller web site in a virtual shopping cart hosted by the seller web site;
- a client, coupled to the seller web site via a communications network, to present user interface information that facilitates processing of a user payment for the one or more items in the virtual shopping cart; and
- an online payment service including a payment processor, coupled to the seller web site and the client via the communications network, to receive detailed information concerning the one or more items in the virtual shopping cart from the shopping cart application, and to communicate via the communications network one or more user interlaces that facilitate processing of the payment for the one or more items,

the shopping cart application being hosted by the seller web site, the seller web site being separate from the online payment service, the one or more user interfaces to display content of the virtual shopping cart, and

the detailed information being collected in the shopping cart prior to being sent from the seller web site to the online payment service by the shopping cart application in response to a user request to proceed with a payment for the one or more items (see response to claim 1).

In regards to claim 19, Bernstein teaches wherein the detailed information is selected, for each of the one or more items, from the group consisting of an item name, an item number, an item price and an item quantity (see response to claim 2).

In regards to claim 20, Bernstein teaches wherein the user request to proceed with the payment is received when a checkout button is selected on the seller web site (see response to claim 3).

In regards to claim 22, Bernstein discloses a computer readable medium comprising instructions, which when executed on a processor, cause the processor to perform a method comprising:

receiving, by an online payment service from a shopping cart application hosted by a seller web site, detailed information concerning one or more items placed in a virtual shopping cart,

the seller web site separate from the online payment service that includes a payment processor;

the shopping cart application being hosted by the online payment service, the detailed information being sent from the seller web site to the online payment service in response to a user request to proceed with a payment for the one or more items, and the detailed information being collected in the seller web site prior to being sent to the online payment service; and

upon the receiving of the detailed information, communicating via a communications network one or more user interfaces that facilitate processing of the payment for the one or more items, the one or more user interfaces to display content of the virtual shopping cart (see response to claim 1).

In regards to claim 23, Bernstein teaches wherein the detailed information is selected, for each of the one or more items, from the group consisting of an item name, an item number, an item price and an item quantity (see response to claim 2).

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4,6-9,13,15-17,21 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bernstein in view of Hartman et al (US PUPUB 20070106570).

In regards to claim 4, Bernstein teaches a payment c Hatman in the same field of ende3vor teaches a confirmation interface to facilitate user input confirming the payment (FIG 4, "click proceed to confirm the purchase"), but does not specifically mention that there is a login user interface to facilitate user input of personal information. Hartman in the same filed of endeavor teaches a login interface to collect personal data such as shipping and payment information (FIG 8a-c). It would have been obvious to a person having ordinary skill in the art a the time of the invention to include in Bernstein having a logging interface to collect personal information, because "Since the purchaser-specific order information contains sensitive information (e.g., a credit card number), both vendors and purchasers want to ensure the security of such information. Security is a concern because information transmitted over the Internet may pass through various intermediate computer systems on its way to its final destination. The information could be intercepted by an unscrupulous person at an

intermediate system. To help ensure the security of the sensitive information, various encryption techniques are used when transmitting such information between a client computer system and a server computer system. Even though such encrypted information can be intercepted, because the information is encrypted, it is generally useless to the interceptor. Nevertheless, there is always a possibility that such sensitive information may be successfully decrypted by the interceptor. Therefore, it would be desirable to minimize the sensitive information transmitted when placing an order" (Hartman para 0005).

In regards to claim 6, Bernstein teaches wherein the login user interface includes a link to the contents of the virtual shopping cart (Hartman para 0018).

In regards to claim 7, Bernstein teaches wherein the personal information includes user credit card information for a new user of the online payment service (Hartman, para 0032),

In regards to claim 8, Bernstein teaches upon processing the payment for the one or more items, presenting a personal account user interface displaying information concerning the payment (Hartman, FIG 1C).

In regards to claim 9, Bernstein teaches wherein the personal account user interface includes a link to the contents of the virtual shopping cart (Hartman, FIG 1C).

In regards to claim 13, Bernstein teaches wherein the one or more user interfaces comprise a login user interface to facilitate user input of personal information and a payment confirmation user interface to facilitate user input confirming the payment (see response to claim 4).

In regards to claim 15, Bernstein teaches wherein the login user interface includes a link to the content of the virtual shopping cart (see response to claim 6).

In regards to claim 16, Bernstein teaches wherein the payment processor is further to present a personal account user interface displaying information concerning the payment upon processing the payment for the one or more items (see response to claim 8).

In regards to claim 17, Bernstein teaches wherein the personal account user interface includes a link to the contents of the virtual shopping cart (see response to claim 9).

In regards to claim 21, Bernstein teaches wherein the one or more user interfaces comprise a login user interface to facilitate user input of personal information and to display the contents of the virtual shopping cart, and a payment confirmation user interface to facilitate user input confirming the payment and to include a link to the contents of the virtual shopping cart (see response to claim 4 and 6).

In regards to claim 24, Bernstein teaches wherein the one or more user interfaces comprise a login user interface to facilitate user input of personal information and to display the contents of the virtual shopping cart, and a payment confirmation user interface to facilitate user input confirming the payment and to include a link to the contents of the virtual shopping cart (see response to claims 4 and 6).

Response to Arguments

Applicant's arguments with respect to claims 1-24 have been considered but are moot because the arguments do not apply to any of the references being used in the current rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Mark Fadok** whose telephone number is **571.272.6755**. The examiner can normally be reached Monday thru Friday 8:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Jeffrey Smith** can be reached on **571.272.6763**.

Any response to this action should be mailed to:

Commissioner for Patents

P.O. Box 1450

Alexandria, Va. 22313-1450

or faxed to:

571-273-8300 [Official communications; including
After Final communications labeled
"Box AF"]

For general questions the receptionist can be reached at
571.272.3600

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Mark Fadok/
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